



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/008,106	11/09/2001	Paul A. Crawford	FMCC:014USR1	6485

7590 02/17/2004

Mark T Garrett Esq
Fulbright & Jaworski LLP
600 Congress Avenue
Suite 2400
Austin, TX 78701

EXAMINER

NICHOLSON, ERIC K

ART UNIT	PAPER NUMBER
----------	--------------

3679

DATE MAILED: 02/17/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/008,106

Applicant(s)

CRAWFORD, PAUL A.

Examiner

Eric K Nicholson

Art Unit

3679

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 12 December 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-12 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-12 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on December 12, 2003 has been entered.

In regards to the *presently amended claims and any previous amendments to the claims which present corrections to errors not covered by an oath or declaration* for example any error corrected after the filing of all declarations currently in the reissue application applicant **must** submit a supplemental oath or declaration prior to allowance stating that every such error of arose without any deceptive intention on the part of the applicant. See 37 CFR 1.175(b)(1).

Drawings

In light of the declaration submitted by Mr. Paul Crawford reconsideration of the new matter rejection is given, while the proposed drawing correction and/or the proposed substitute sheets of drawings, filed on 11-09-01 are still disapproved since they do not illustrate a retaining ring in a groove as discussed in Mr. Paul Crawford's declaration. As stated before the previous changes made to the lead lines appear to be acceptable for approval however new drawings are required to illustrate the snap ring inserted into a groove in the retainer segments. It is further

noted that according to claims 4,8 and 12 the drawings are objected to since these claims require the end connectors to be threaded however since they depend from claims with a retainer segments been claimed there appears to be no drawings showing the combination of claims 4 8 and 12 having both threaded end connectors and retainer segments.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-12 are rejected under 35 U.S.C. 103(a) as being unpatentable over applicant's prior art figures I and 2 in view of U.S. patent 5,047,021 to Utterberg. The prior art figures I and 2 illustrate applicant's claimed invention with a pup joint having a length of pipe 12 having an outside diameter; an integrally formed female sub 16 connected to a first end of the length of

pipe, the female sub 16 including a conical sealing surface 20, an outer surface formed adjacent the conical sealing surface and external threads 22 formed on the outer surface; an integrally formed male sub 14 connected to the distal end of the length of pipe, the male sub 14 *including a section having an outside diameter greater than the outside diameter of the length of pipe* (as pertains to claims 9-12), the male sub also including a forward shoulder 32 extending radially outwardly there from and a spherical sealing surface 18 adjacent the forward shoulder which is adapted to mate with and seal against the conical sealing surface of another such pup joint; a nut 24 having an internal surface, internal threads 26 formed on the internal surface and a rearward shoulder 30 extending radially inwardly from the internal surface; one or more retainer segments 28 positioned between the rearward shoulder 30 of the nut and the forward shoulder 32 of the male sub for restricting axial movement of the nut relative to the male sub in a first direction. Further, as argued by applicant, the prior art figure 1 shows a retainer ring in a groove of the retainer segments 28. As pertaining to claims 4,8 and 12, according to prior art Fig. 2 in the specification it is known that the male sub can be threaded onto the distal end of the length of pipe, and the female sub can be threaded onto the first end of the length of pipe.

The prior art figure 1 differs from the claimed present invention in that the pipe does not include a retention shoulder, such as applicant's retention shoulder 142, to keep the nut and retainer segment assembly from sliding along the pipe away from the male sub end. Utterberg illustrates (figs. 4-7) and teaches a similar end connection to that of prior art figures 1 and 2 and

shows also that it is old and well known to provide a non-removable and single forged constructed retention shoulder 308 extending radially outwardly from the section of the male pipe member 300 the retention shoulder positioned rearward of the forward shoulder 332 of the nut 320 to restrict axial movement of the nut 320 along the pipe 300, see column 5, lines 36-47. It would have been obvious to one having ordinary skill in the art at the time the invention was made to provide the length of pipe with a retention shoulder such as taught by shoulder 308 of Utterberg in order to limit the range of slidable movement of the coupling nut and retainer segments along the pipe. See column 5, lines 36-47.

Applicant's arguments with respect to claims 1-12 have been considered but are moot in view of the new grounds of rejection.

Conclusion

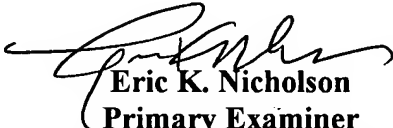
The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Note the non removable retention shoulder 28 to keep the nut 42 from sliding along the pipe 20 in U.S. patent 4,452,473 to Ruschke and note the non removable retention shoulder 3 to keep the nut 2 from sliding along the pipe 1 in U.S. patent 4,266,815 to Cross.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Eric Nicholson whose telephone number is (703) 308-0829. The examiner can normally be reached on Tuesdays thru Fridays from 7:30 to 6:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Lynne Browne, can be reached on (703) 308-1159. The fax phone number for Technology Center 3600 is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Technology Center receptionist whose telephone number is (703) 308-1113.

ekn
2/12/04
W@H


Eric K. Nicholson
Primary Examiner
Technology Center 3600